

09/936845

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#7

Attorney Docket No. 05407.00003

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:	)	<b>BOX PCT</b>
	)	
Johnathan A. NAPIER	)	<b>National Phase Application</b>
	)	<b>PCT/GB00/01035</b>
Serial No. Unassigned	)	<b>Filed: March 20, 2000</b>
	)	
Filed: Concurrently Herewith	)	<b>Group Art Unit: Unassigned</b>
	)	
For: POLYSATURATED FATTY ACID (PUFA)	)	<b>Examiner: Unassigned</b>
ELONGASE FROM CAENORHABDITIS	)	
ELEGANS	)	

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted for consideration by the United States Patent and Trademark Office in accordance with the duty of disclosure.

Transmitted herewith is:

- ☒ A PTO 1449 form
- ☐ A Background Art Information Paper
- ☒ A copy of each item of information listed on the PTO 1449 form
  - ☐ Concise explanation of non-English language information
    - ☐ concise explanation of relevance:
    - ☐ English translation of foreign language information
  - ☒ English language version of foreign patent office report citing information

☐ English language abstract(s) of foreign patent document(s)

☐ This application relies, under 35 U.S.C. §120, on the earlier filing date of U.S. Application Serial No. \*\*\*\*, filed \*\*\*. The information identified on the attached PTO 1449 form was submitted to and/or cited by the Patent and Trademark Office in this earlier application and, therefore, copies are not required to be provided in this application.

1. ☒ This Information Disclosure Statement is filed before the later of:

☐ three months from the filing date of this national application;

☒ three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or

☐ the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. ☐ This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:

☐ a final action under 37 CFR 1.113, or an action that otherwise closes prosecution,

☐ a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c), also enclosed is

☐ a fee under 37 CFR 1.17(p) for \$180.00; or

☐ a certification as stated below.

3. ☐ This Information Disclosure Statement is filed before payment of the issue fee, but after either

☐ a final action under 37 CFR 1.113, or an action that otherwise closes prosecution;

☐ a Notice of Allowance under 37 CFR 1.311.

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In accordance with 37 CFR 1.97(d), also enclosed is:

- ☐ a certification, as stated below; and
- ☐ the IDS processing fee set forth in 37 CFR 1.17(p)(1) in the amount of \$180.00.

**Certification**

The undersigned states:

☐ Each item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

**TOTAL FEES:**      \$

☐ A check for the amount of the above indicated TOTAL FEES is attached.

☐ Please charge Deposit Account No. 19-0733 in the amount of \$ .

☐ A check for \$ is enclosed.

☒ No fee is required.

☐ Please charge or credit Deposit Account No. 19-0733 for an deficiency or overpayment associated with this Information Disclosure Statement.

Attorney Docket No. 05407.00003

A duplicate copy of this sheet is enclosed for accounting purposes.

It is respectfully requested that the Examiner fully consider each item of information, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the information has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: *Lisa M. Hemmendinger*  
Lisa M. Hemmendinger  
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Dated: September 18, 2001

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USPTO Form 1449 U.S. Department of Commerce Patent and Trademark Office <b>INFORMATION DISCLOSURE CITATION</b>  Sheet 1 of 3				Attorney Docket No. <b>05407.00003</b>		International Serial No. <b>PCT/GB00/01035</b>	
				Applicant(s): <b>Johnathan A. NAPIER</b>			
				International Filing Date: <b>March 20, 2000</b>		Group: <b>Unassigned</b>	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)	
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial	Document No.	Date	Country	Class	Subclass	Translation	
						YES	NO
	<b>WO 00/12720</b>	<b>03/09/2000</b>	<b>WIPO</b>				
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>							
	Database Swall 'Online! EMBL: Heidelberg, Germany: ID YLF4_CAEEL, AC: Q03574, 1 Feb. 1994 <b>WILSON, R., et al.: "2.2 Mb of contiguous nucleotide sequence from chromosome III of C. elegans"</b> <b>XP002143744</b>						
	Database EMINV 'Online! EMBL Heidelberg, Germany: ID: CEC40H1, AC: Z19154 27 December 1992: BERKS, M: "Caenorhabditis elegans cosmid C40H1" XP002143745						
	<b>JAMES, D.W., et al.: "Directed Tagging of the Arabidopsis Fatty Acid Elongationi (FAE1) Gene With          the Maize Transposon Activator" PLANT CELL, US, American Society of Plant Physiologists,          Rockville, MD, vol. 7, March 1995 , pp. 309-319, XP002911493</b>						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							
**Copies of references not provided at the time of this submission.							

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USPTO Form 1449 U.S. Department of Commerce Patent and Trademark Office <b>INFORMATION DISCLOSURE CITATION</b>  Sheet 2 of 3		Attorney Docket No. <b>05407.00003</b>		International Serial No. <b>PCT/GB00/01035</b>			
		Applicant(s): <b>Johnathan A. NAPIER</b>					
		International Filing Date: <b>March 20, 2000</b>			Group: <b>Unassigned</b>		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)	
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial	Document No.	Date	Country	Class	Subclass	Translation	
						YES	NO
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>							
	<b>WATTS, J.L. and BROWNE J: "Isolation and characterization of a delta5-fatty acid desaturase from Caenorhabditis elegans", Archives of Biochemistry and Biophysics, vol. 362, No. 1, 1 Feb. 1999, pp. 175-182, XP002143742</b>						
	<b>NAPIER, et al.: "Identification of a Caenorhabditis elegans delta6-fatty-acid-desaturase by heterologous expression in Saccharomyces cervisiae" Biochemical Journal, GB, Portland Press, London, Vol. 330, No. 2, March 1998, pp. 611-614-614, XP002099453</b>						
	<b>SALEM, N., et al.: "Arachidonic and docosaehaenoic acids are biosynthesized from their 18-carbon precursors in human infants" Proceedings of the National Academy of Sciences of USA, U.S. National Academy of Science, Washington, vol. 93, No. 93, January 1996, pp. 49-54-54, XP002131822</b>						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
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USPTO Form 1449 U.S. Department of Commerce Patent and Trademark Office <b>INFORMATION DISCLOSURE CITATION</b>  Sheet 3 of 3				Attorney Docket No. <b>05407.00003</b>		International Serial No. <b>PCT/GB00/01035</b>	
				Applicant(s): <b>Johnathan A. NAPIER</b>			
				International Filing Date: <b>March 20, 2000</b>		Group: <b>Unassigned</b>	

  

U.S. PATENT DOCUMENTS						
Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)

  

FOREIGN PATENT DOCUMENTS							
Examiner Initial	Document No.	Date	Country	Class	Subclass	Translation	
						YES	NO

  

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)	
	OH, et al.: "EL02 and EL03, homologs of the <i>Saccharomyces cerevisiae</i> EL01 gene, function in fatty acid elongation and are required for sphingolipid formation" <i>Journal of Biological Chemistry</i> , U.S. American Society of Biological Chemists, Baltimore, MD, vol. 272, no. 28, 11 July 1997, pp. 17376-17384, XP002119019

  

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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